

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

DAVID SIBLEY, §
§
Plaintiff, §
§
vs. § C.A. NO. C-07-258
§
CHARLES EDWARD LINCOLN, III, §
§
Defendant. §

ORDER

On this day the Court held a hearing on Plaintiff's motion for sanctions (D.E. 9) in the above-styled action. Defendant failed to appear at the hearing despite being ordered to appear by the Court.¹ (D.E. 10, 16.) The Court hereby RESETS the hearing on Plaintiff's motion for sanctions to Friday, September 7, 2007 at 1:15 PM. Defendant is ORDERED to appear in person before this Court at 1133 N. Shoreline Blvd., Corpus Christi, on that day for the sanctions hearing. Plaintiff shall comply with the service provisions of Federal Rule of Civil Procedure 11(c)(1)(A), prior to the date of the hearing. See Fed. R. Civ. P. 11(c)(1)(A) (stating that a motion for sanctions "shall be served as provided in Rule 5, but shall not be filed with or presented to the court unless, within 21 days after service of the motion (or such other period as the court may prescribe), the challenged . . . claim [or]

¹ The issue of the Defendant's failure to appear at the hearing will be addressed separately in a "Notice of Criminal Contempt Proceeding and Order to Show Cause" pursuant to 18 U.S.C. § 401 and Federal Rule of Criminal Procedure 42. See In re Charles Lincoln, Misc. No. 07-75.

contention . . . is not withdrawn or appropriately corrected") .

SIGNED and ENTERED this 23rd day of July, 2007.



Janis Graham Jack
United States District Judge